

THIRTY-EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 20, 2008

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Fairley, Hargrove, Jacobsen, Murray, Sheldon and Swecker.

The Sergeant at Arms Color Guard consisting of Pages Kyle Boersen and William Corbit, presented the Colors. Pastor Bob McGregor of City Harvest Church offered the prayer.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Eide, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 19, 2008

MR. PRESIDENT:

The House has passed the following bills:
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2143,
 SUBSTITUTE HOUSE BILL NO. 2452,
 SUBSTITUTE HOUSE BILL NO. 2525,
 SUBSTITUTE HOUSE BILL NO. 2554,
 SECOND SUBSTITUTE HOUSE BILL NO. 2597,
 SUBSTITUTE HOUSE BILL NO. 2611,
 HOUSE BILL NO. 2651,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2709,
 ENGROSSED HOUSE BILL NO. 2734,
 SECOND SUBSTITUTE HOUSE BILL NO. 2807,
 HOUSE BILL NO. 2813,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2818,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2882,
 SECOND SUBSTITUTE HOUSE BILL NO. 2903,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2938,
 ENGROSSED HOUSE BILL NO. 3117,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3131,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 3133,
 ENGROSSED HOUSE BILL NO. 3137,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3148,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 3160,
 HOUSE BILL NO. 3261,
 ENGROSSED HOUSE BILL NO. 3317,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 19, 2008

MR. PRESIDENT:

The House has passed the following bills:
 HOUSE BILL NO. 2263,
 HOUSE BILL NO. 2564,
 HOUSE BILL NO. 2699,
 SUBSTITUTE HOUSE BILL NO. 2779,

SECOND SUBSTITUTE HOUSE BILL NO. 2822,
 SUBSTITUTE HOUSE BILL NO. 2879,
 HOUSE BILL NO. 3019,
 HOUSE BILL NO. 3027,
 SUBSTITUTE HOUSE BILL NO. 3224,
 HOUSE BILL NO. 3249,
 SUBSTITUTE HOUSE BILL NO. 3289,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 19, 2008

MR. PRESIDENT:

The House has passed the following bills:
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2438,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2809,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2815,
 ENGROSSED HOUSE BILL NO. 3181,
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

E2SHB 1115 by House Committee on Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Miloscia, Pettigrew, Morrell, Ormsby, Green, Darnelle, Haigh, Moeller, Wallace, Santos and Simpson)

AN ACT Relating to programs to end homelessness; amending RCW 43.185C.005, 43.185C.010, 43.185C.020, 43.185C.040, 43.185C.050, 43.185C.070, 43.185C.080, 43.185C.090, 43.185C.100, 43.185C.130, 43.185C.160, 43.185C.900, 36.22.179, 36.22.1791, 43.185C.170, 43.185C.180, 43.185B.030, 43.20A.790, 36.18.010, and 43.185C.150; adding new sections to chapter 43.185C RCW; creating new sections; and recodifying RCW 36.22.179, 36.22.1791, 43.20A.790, and 43.63A.650.

Referred to Committee on Consumer Protection & Housing.

E2SHB 1332 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Dunn, Miloscia, Springer, McCune, Ormsby, Kenney, Roberts, Wood, Santos and Chase)

AN ACT Relating to affordable housing development; amending RCW 43.63A.510, 35.21.687, 36.34.137, 43.20A.037, 47.12.063, 47.12.064, 72.09.055, 43.19.19201, 79A.05.170, 79A.05.175, 79.11.005, 79.22.060, and 28A.335.120; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 43.30 RCW; adding a new section to chapter 43.31 RCW; creating new sections; and recodifying RCW 43.63A.510.

Referred to Committee on Consumer Protection & Housing.

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3SHB 1741 by House Committee on Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Hunt, Skinner and Conway)

AN ACT Relating to the oral history program; amending RCW 43.07.220, 43.07.230, 43.07.240, 43.07.365, 43.07.370, 43.07.380, and 42.52.802; adding a new section to chapter 42.52 RCW; adding new sections to chapter 44.04 RCW; adding a new section to chapter 43.07 RCW; creating new sections; and recodifying RCW 43.07.220, 43.07.230, and 43.07.240.

Referred to Committee on Government Operations & Elections.

HB 2110 by Representatives Simpson, Ericks, Dunshee, Sullivan and Ormsby

AN ACT Relating to allowing all fire protection facilities to use impact fees; and amending RCW 82.02.090.

Referred to Committee on Government Operations & Elections.

SHB 2455 by House Committee on Transportation (originally sponsored by Representatives Appleton, Hudgins, Hasegawa, McIntire, Nelson and Rolfes)

AN ACT Relating to the expiration of monetary value of fare media; amending RCW 47.60.315; and creating a new section.

Referred to Committee on Transportation.

ESHB 2468 by House Committee on Appropriations (originally sponsored by Representatives VanDeWege, Warnick, Blake, Dickerson, Linville, Upthegrove, McCoy, Hinkle, Appleton, Lantz, Ormsby, McIntire, Roberts, Kenney, Hudgins, Loomis, Kretz, Kagi and Chase)

AN ACT Relating to improving community and urban forest conditions in Washington state; amending RCW 76.15.005, 76.15.020, 76.15.010, and 76.15.007; adding a new section to chapter 76.15 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 2470 by Representatives Upthegrove, Dickerson, Hinkle, VanDeWege, Kenney, Kretz, Chase and Warnick

AN ACT Relating to clarifying the authority of the department of natural resources to issue lesser contractual agreements within existing authorities for state-owned aquatic lands; amending RCW 79.105.210; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

EHB 2476 by Representatives McCoy, Simpson, Lantz, Appleton, O'Brien, Kenney, Sells, Moeller, Hudgins, Dunn, Upthegrove and Chase

AN ACT Relating to authorizing tribal police officers to act as general authority Washington state peace officers; adding a new chapter to Title 10 RCW; and providing an effective date.

Referred to Committee on Judiciary.

2SHB 2530 by House Committee on Appropriations (originally sponsored by Representatives Nelson, Cody and Upthegrove)

AN ACT Relating to studying the effectiveness of the existing hydraulic project approval process under chapter 77.55 RCW in protecting fish life; creating new sections; and providing an expiration date.

Referred to Committee on Ways & Means.

E2SHB 2533 by House Committee on Appropriations (originally sponsored by Representatives McCoy, Chase and Quall)

AN ACT Relating to attachments to utility poles of locally regulated utilities; amending RCW 54.04.045; and creating a new section.

Referred to Committee on Water, Energy & Telecommunications.

HB 2542 by Representative Ericks

AN ACT Relating to enforcement of cigarette taxes through regulation of stamped and unstamped cigarettes; amending RCW 82.24.080, 82.24.020, 82.24.110, and 82.24.250; creating a new section; and prescribing penalties.

Referred to Committee on Ways & Means.

SHB 2575 by House Committee on Local Government (originally sponsored by Representatives Simpson, Ormsby and Wood)

AN ACT Relating to fire sprinkler systems in private residences; and creating new sections.

Referred to Committee on Government Operations & Elections.

SHB 2585 by House Committee on Finance (originally sponsored by Representatives McIntire and Kessler)

AN ACT Relating to the business and occupation taxation of newspaper-labeled supplements; amending RCW 82.04.214; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 2592 by House Committee on Appropriations (originally sponsored by Representatives Morrell and VanDeWege)

AN ACT Relating to vendor overpayments; and amending RCW 43.20B.695.

Referred to Committee on Ways & Means.

SHB 2602 by House Committee on Commerce & Labor (originally sponsored by Representatives Kessler, Dickerson, Williams, O'Brien, Hurst, Lantz, Moeller, Hasegawa, Pedersen, Ormsby, VanDeWege, Conway, Goodman, Hudgins, Santos, Campbell, Upthegrove, Chase, Darneille, Barlow, Green and Simpson)

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AN ACT Relating to increasing the safety and economic security of victims of domestic violence, sexual assault, or stalking; amending RCW 7.69.030; adding a new chapter to Title 49 RCW; and declaring an emergency.

Referred to Committee on Labor, Commerce, Research & Development.

SHB 2609 by House Committee on Finance (originally sponsored by Representatives McIntire and Condotta)

AN ACT Relating to the use of digital image technology in property revaluation plans; amending RCW 84.41.041 and 84.40.045; and creating a new section.

Referred to Committee on Government Operations & Elections.

SHB 2621 by House Committee on Judiciary (originally sponsored by Representatives Hurst, Lantz and Simpson)

AN ACT Relating to requiring certain sentences for vehicular homicide and vehicular assault to run consecutively; and amending RCW 9.94A.589.

Referred to Committee on Judiciary.

ESHB 2626 by House Committee on Commerce & Labor (originally sponsored by Representatives VanDeWege, Kessler, Blake, Takko, DeBolt, Ormsby, Roberts, Kenney, Morrell, Simpson and Chase)

AN ACT Relating to authorizing the governor to suspend the waiting week for individuals who are unemployed because of an emergency or disaster; and creating a new section.

Referred to Committee on Labor, Commerce, Research & Development.

2SHB 2635 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representative Quall)

AN ACT Relating to school district boundaries and organization; amending RCW 28A.315.195, 28A.315.205, 28A.315.085, 28A.315.105, 28A.323.020, and 28A.343.070; adding a new section to chapter 28A.315 RCW; creating a new section; recodifying RCW 28A.323.020; and repealing RCW 28A.315.125, 28A.315.135, 28A.315.145, and 28A.323.030.

Referred to Committee on Early Learning & K-12 Education.

E2SHB 2647 by House Committee on Appropriations (originally sponsored by Representatives Dickerson, Hudgins, Hunt, Morrell, Pedersen, Williams, Cody, Green, Campbell, VanDeWege, Hasegawa, Roberts, Loomis, Upthegrove, Lias, Hunter, Chase, Smith, McIntire, Barlow, Conway, Priest, Schual-Berke, Simpson, Kenney, Goodman, Sells, Rolfes, Darneille and Lantz)

AN ACT Relating to the children's safe products act; amending RCW 43.70.660; adding a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Ways & Means.

SHB 2666 by House Committee on Health Care & Wellness (originally sponsored by Representatives Morrell, Cody, McCoy, Green, Hunt, Wallace, Pedersen, Moeller, McIntire, Barlow, Conway, Simpson and Darneille)

AN ACT Relating to long-term care insurance; amending RCW 48.84.010 and 48.85.010; reenacting and amending RCW 48.43.005; adding a new chapter to Title 48 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SHB 2675 by House Committee on Finance (originally sponsored by Representatives Hasegawa and Chase)

AN ACT Relating to a property tax exemption for the administrative offices of certain nonprofit organizations; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Ways & Means.

SHB 2690 by House Committee on Appropriations (originally sponsored by Representatives Cody, Hasegawa, Morrell, Green, McIntire and Simpson)

AN ACT Relating to mental health first aid; adding a new section to chapter 71.24 RCW; and creating new sections.

Referred to Committee on Ways & Means.

ESHB 2693 by House Committee on Appropriations (originally sponsored by Representatives Morrell, Darneille, Moeller, Hudgins, Eddy, Upthegrove, Campbell, McIntire, Conway, O'Brien, Simpson, Kenney, Wood and Sells)

AN ACT Relating to required basic training and certification of long-term care workers; amending RCW 74.39A.009, 74.39A.340, 74.39A.360, 74.39A.240, 74.39A.050, 70.127.100, 18.20.110, 18.20.270, 70.128.090, 70.128.120, and 70.128.230; reenacting and amending RCW 18.130.040 and 18.130.040; adding new sections to chapter 74.39A RCW; adding a new section to chapter 70.128 RCW; adding a new chapter to Title 18 RCW; creating new sections; repealing RCW 18.20.230 and 70.128.210; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

E2SHB 2703 by House Committee on Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Morris, Morrell and Hudgins)

AN ACT Relating to encouraging energy efficiency; amending RCW 19.260.020; creating new sections; and providing an expiration date.

Referred to Committee on Water, Energy & Telecommunications.

E2SHB 2712 by House Committee on Appropriations (originally sponsored by Representatives Hurst, Ross, Dickerson, Newhouse, Conway, Morrell, Roach, Kelley and Ormsby)

AN ACT Relating to criminal street gangs; amending RCW 42.56.240, 9.94A.533, 9.94A.535, 9.94A.545, and 10.22.010; reenacting and amending RCW 9.94A.715 and 9.94A.030; adding a new section to chapter 43.20A RCW;

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adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 9.94A RCW; adding a new section to chapter 9A.48 RCW; adding a new section to chapter 4.24 RCW; adding a new section to chapter 28A.300 RCW; adding new sections to chapter 43.31 RCW; adding a new section to chapter 72.09 RCW; adding a new chapter to Title 9 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Ways & Means.

2SHB 2713 by House Committee on Appropriations (originally sponsored by Representatives Seaquist, Hurst, Lantz, Pearson, Conway, Morrell, Miloscia, Priest, Kenney, Schual-Berke, Haler, McDonald, Loomis, Smith, Bailey, Kristiansen, Hudgins, McCune, Simpson, VanDeWege, Ericks, Kelley, Ormsby and Rolfes)

AN ACT Relating to DNA identification of convicted sex offenders and other persons; and amending RCW 43.43.753, 43.43.754, 43.43.7541, and 43.43.756.

Referred to Committee on Human Services & Corrections.

SHB 2746 by House Committee on Transportation (originally sponsored by Representatives Jarrett, Morris and McIntire)

AN ACT Relating to the purchasing of fuel; adding new sections to chapter 35.58 RCW; adding a new section to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

ESHB 2767 by House Committee on Local Government (originally sponsored by Representatives Blake, Kretz, Grant, VanDeWege, Orcutt, McCoy, Hailey, Pettigrew, Kenney, Loomis, Pearson and Newhouse)

AN ACT Relating to specialty agricultural structures; amending RCW 19.27.100; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 2792 by Representatives Wood, Condotta, Grant, Conway and Quall

AN ACT Relating to computing breaks in the parimutuel system; and amending RCW 67.16.060.

Referred to Committee on Labor, Commerce, Research & Development.

E2SHB 2817 by House Committee on Transportation (originally sponsored by Representatives Campbell, Green, Morrell, Hudgins and McCune)

AN ACT Relating to contaminated motor vehicles, vehicles, and vessels; amending RCW 64.44.050; adding a new section to chapter 64.44 RCW; adding a new section to chapter 46.55 RCW; and creating a new section.

Referred to Committee on Transportation.

E2SHB 2844 by House Committee on Appropriations (originally sponsored by Representatives Kagi, Priest, Upthegrove, Campbell, Simpson, Hunt, Blake, Jarrett, Nelson,

Rolfes, Dickerson, Appleton, Takko, Loomis, Lantz, Pettigrew, Hunter, Moeller, Hudgins, Quall, O'Brien, Anderson, Kenney, Pedersen, McIntire and Roberts)

AN ACT Relating to preventing air and water pollution through urban forestry partnerships; amending RCW 76.15.020, 35.92.390, 35A.80.040, 80.28.300, 76.15.010, 89.08.520, 79.105.150, and 80.28.010; reenacting and amending RCW 43.155.070, 70.146.070, and 79A.15.040; adding new sections to chapter 76.15 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 54.16 RCW; adding a new section to chapter 43.155 RCW; adding a new section to chapter 70.146 RCW; adding a new section to chapter 89.08 RCW; adding a new section to chapter 79.105 RCW; adding a new section to chapter 79A.15 RCW; adding a new chapter to Title 35 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Ways & Means.

ESHB 2864 by House Committee on Commerce & Labor (originally sponsored by Representatives Ormsby, Wood, Barlow, Hasegawa and Simpson)

AN ACT Relating to filing certified payroll records on public works projects; amending RCW 39.12.030 and 39.12.040; and adding a new section to chapter 39.12 RCW.

Referred to Committee on Labor, Commerce, Research & Development.

HB 2887 by Representatives Fromhold, Crouse, Conway, Wood and Kessler

AN ACT Relating to purchasing an increased benefit multiplier for past judicial service for judges in the public employees' retirement system; and amending RCW 41.40.124, 41.40.127, 41.40.870, and 41.40.873.

Referred to Committee on Ways & Means.

HB 2901 by Representatives Springer, Orcutt, Ormsby, Wallace, Sells, Roberts, Kelley, Santos and Goodman

AN ACT Relating to the property taxation of organizations operated exclusively for art, scientific, or historical purposes or engaged in the production and performance of musical, dance, artistic, dramatic, or literary works; and amending RCW 84.36.060.

Referred to Committee on Ways & Means.

SHB 2904 by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Haler and Hailey)

AN ACT Relating to the use of publicly funded television stations in city and county elections; and adding a new section to chapter 42.17 RCW.

Referred to Committee on Government Operations & Elections.

SHB 2917 by House Committee on Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representatives Upthegrove, Warnick, Wallace, Hasegawa, Roberts and Liias)

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AN ACT Relating to voter registration and informational activities at institutions of higher education; amending RCW 29A.08.105 and 29A.08.260; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education.

ESHB 3012 by House Committee on Judiciary (originally sponsored by Representatives Ross, Lantz, Rodne and Williams)

AN ACT Relating to estate distribution documents; and amending RCW 19.295.010.

Referred to Committee on Judiciary.

HB 3025 by Representatives Fromhold, Conway, Crouse, Hurst and Kenney

AN ACT Relating to higher education employees' annuities and retirement income plans; and amending RCW 28B.10.400.

Referred to Committee on Ways & Means.

SHB 3059 by House Committee on Appropriations (originally sponsored by Representatives Hudgins, Hasegawa and Roberts)

AN ACT Relating to lead blood level assessments; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SHB 3069 by House Committee on Transportation (originally sponsored by Representative Wallace)

AN ACT Relating to the regulation of driver improvement schools; amending RCW 46.82.300; reenacting and amending RCW 46.63.020; adding a new chapter to Title 46 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Transportation.

SHB 3071 by House Committee on Housing (originally sponsored by Representatives Goodman, Rodne and Williams)

AN ACT Relating to harmonizing statutes dealing with the termination of condominiums; and amending RCW 64.34.010, 64.32.150, and 64.32.010.

Referred to Committee on Consumer Protection & Housing.

E2SHB 3139 by House Committee on Appropriations (originally sponsored by Representatives Conway, Wood, Green, Moeller, Simpson and Ormsby)

AN ACT Relating to industrial insurance benefits on appeal; amending RCW 51.52.050 and 51.32.240; adding a new section to chapter 51.32 RCW; adding a new section to chapter 51.44 RCW; adding a new section to chapter 51.52 RCW; creating a new section; and providing an effective date.

Referred to Committee on Labor, Commerce, Research & Development.

EHB 3142 by Representatives Liias, Chase, Walsh, Ericks,

Loomis, Miloscia, Rolfes, Linville, Dickerson, Green, Morrell, Kelley, Wood, Nelson, Santos and Ormsby

AN ACT Relating to affordable housing loan programs; amending RCW 43.185A.110; and adding a new section to chapter 43.185A RCW.

Referred to Committee on Ways & Means.

SHB 3149 by House Committee on Appropriations (originally sponsored by Representatives Sommers, Haler, Conway, Kenney, Fromhold, McIntire, Anderson and Darneille)

AN ACT Relating to compensation of state investment board personnel; and amending RCW 43.33A.100.

Referred to Committee on Ways & Means.

HB 3151 by Representatives Alexander, DeBolt, Hunt and McCune

AN ACT Relating to an extension of the commencement-of-construction date for a sales and use tax for public facilities districts in national disaster area counties; reenacting and amending RCW 82.14.390; and providing an effective date.

Referred to Committee on Ways & Means.

HB 3177 by Representatives Sommers and Dunshee

AN ACT Relating to membership of the state expenditure limit committee; and amending RCW 43.135.025.

Referred to Committee on Ways & Means.

E2SHB 3186 by House Committee on Appropriations Subcommittee on General Government & Audit Review (originally sponsored by Representative Nelson)

AN ACT Relating to beach management districts; amending RCW 36.61.010, 36.61.020, 36.61.025, 36.61.030, 36.61.040, 36.61.050, 36.61.060, 36.61.070, 36.61.080, 36.61.090, 36.61.100, 36.61.110, 36.61.115, 36.61.120, 36.61.140, 36.61.160, 36.61.170, 36.61.190, 36.61.200, 36.61.220, 36.61.230, 36.61.260, 36.61.270, 36.94.020, 39.34.190, 86.09.151, and 35.21.403; adding a new section to chapter 36.61 RCW; adding a new section to chapter 43.21A RCW; and creating a new section.

Referred to Committee on Water, Energy & Telecommunications.

HB 3188 by Representatives Roach, Hurst, McCune and Dunn

AN ACT Relating to exempting waste vegetable oil from excise tax; amending RCW 82.38.080; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 3206 by House Committee on Community & Economic Development & Trade (originally sponsored by Representatives Kenney, Haler, Rolfes and Santos)

AN ACT Relating to the information required to be reported in the annual economic impact report on lodging tax revenues; and amending RCW 67.28.1816.

Referred to Committee on Economic Development, Trade & Management.

EHB 3230 by Representatives Conway, Darneille and Flannigan

AN ACT Relating to public notification and hearing requirements for permits issued under the shoreline management act; and amending RCW 90.58.140.

Referred to Committee on Water, Energy & Telecommunications.

E2SHB 3254 by House Committee on Transportation (originally sponsored by Representatives Goodman, Pedersen, Simpson, Morrell, Green, Kelley, Kagi and Roberts)

AN ACT Relating to accountability for persons driving under the influence of intoxicating liquor or drugs; amending RCW 46.20.342, 46.20.380, 46.20.391, 46.20.400, 46.20.410, 46.20.720, 46.20.740, 46.61.5055, 10.05.010, 10.05.020, 10.05.090, 10.05.160, 46.61.502, and 46.61.504; reenacting and amending RCW 46.20.308 and 46.63.020; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.68 RCW; adding new sections to chapter 46.20 RCW; adding a new section to chapter 10.05 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

2SHB 3269 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Roach, Haler, Williams, Campbell, Rodne and Ross)

AN ACT Relating to the roving early intervention specialist pilot program; adding a new section to chapter 43.215 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 3303 by House Committee on Finance (originally sponsored by Representatives Grant, Walsh, Haler and Linville)

AN ACT Relating to a business and occupation tax credit for qualified preproduction development expenditures for polysilicon manufacturers; amending RCW 82.32.545; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

EHB 3360 by Representatives Hasegawa and Santos

AN ACT Relating to the time certificate of deposit investment program; amending RCW 43.60A.190, 43.86A.030, and 43.86A.060; and creating a new section.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Eide, the Senate advanced to the sixth order of business.

INTRODUCTIONS OF SPECIAL GUESTS

The President introduced the La Conner High School Girls' Volleyball Team, State 2B Champions, led by Coach Suzanne Marble present in the gallery.

PERSONAL PRIVILEGE

Senator Haugen: "Well, thank you Mr. President. We've already done a resolution on this floor honoring these very exceptional young women as we did last year. This is their second year and I am extremely proud of them as I know you are. I want to especially say that the Head Coach who led this team to reported victories has been named Class Two Associated Press All State Coach of the Year. The hitter, Cora Kellerman, was named Class 2B, Most Valuable Player of the year by the Associated Press All State Team. You know this repeated victory more amazing given the fact that the entire school body, high school population of O'Connor, is just over two hundred students and the city itself has just eight hundred residents. We know this is in the middle of a large farming community so we have lots of people both within the small community and the surrounding area that really are very supported of these outstanding young women. In fact, when the team bus returned from the championship, it was escorted by a fire truck and a police car through the town and eventually everyone else just joined in and followed after them to welcome these really outstanding young women back into our community. These young women are not only leaders on the court but I expect them to be leaders in our community in the future. I'm just more than delighted to have them here today and I appreciate your acknowledging them. Thank you."

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Franklin moved that Gubernatorial Appointment No. 9334, Donald Meyer, as a member of the Board of Trustees, Pierce Community College District No. 11, be confirmed.

Senator Franklin spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senator Swecker was excused.

MOTION

On motion of Senator Regala, Senators Fairley and Jacobsen were excused.

APPOINTMENT OF DONALD MEYER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9334, Donald Meyer as a member of the Board of Trustees, Pierce Community College District No. 11.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9334, Donald Meyer as a member of the Board of Trustees, Pierce Community College District No. 11 and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 3; Excused, 3.

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Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Shin, Spanel, Stevens, Tom, Weinstein and Zarelli - 43

Absent: Senators Hargrove, Murray and Sheldon - 3
Excused: Senators Fairley, Jacobsen and Swecker - 3

Gubernatorial Appointment No. 9334, Donald Meyer, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Pierce Community College District No. 11.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Regala moved that Gubernatorial Appointment No. 9261, Myra Johnson, as a member of the Professional Educator Standards Board, be confirmed.

Senator Regala spoke in favor of the motion.

MOTION

On motion of Senator Rockefeller, Senator Hargrove was excused.

APPOINTMENT OF MYRA JOHNSON

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9261, Myra Johnson as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9261, Myra Johnson as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Shin, Spanel, Stevens, Tom, Weinstein and Zarelli - 44

Absent: Senator Sheldon - 1
Excused: Senators Fairley, Hargrove, Jacobsen and Swecker - 4

Gubernatorial Appointment No. 9261, Myra Johnson, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

MOTION

On motion of Senator Regala, Senator Sheldon was excused.

SECOND READING

HOUSE BILL NO. 2437, by Representatives Seaquist, McDonald, Fromhold, Armstrong, Takko, Hankins, Blake, Lantz, Morrell, McCoy, McIntire, Kenney, Schual-Berke, Appleton, Kagi, Sullivan, Dunn, Chase, Upthegrove, Liias, Simpson, Barlow, Ericks, Green and Warnick

Authorizing public works board projects.

The measure was read the second time.

MOTION

Senator Fraser moved that the following committee amendment by the Committee on Ways & Means be adopted.

On page 1, on line 7, after "account" insert the following: ", and no loan authorized in this act shall bear on interest rate of greater than one half of one percent"

Senator Fraser spoke in favor of adoption of the committee amendment.

POINT OF INQUIRY

Senator Honeyford: "Would the Senator from the twenty-second yield to a question? Thank you Senator. Is this retroactive or should we have an oral amendment to make it retroactive?"

Senator Fraser: "That might fit within the scope of the bill but it sounds like you hardly agree with the premise of the amendment."

POINT OF ORDER

Senator McCaslin: "Perhaps I threw it away yesterday but I don't have a copy of the bill, I don't know if anyone else does. Shouldn't we have a copy of the bill if we're going to pass it and the amendment?"

REPLY BY THE PRESIDENT

President Owen: "Senator, they were distributed last night or prior. Well they were distributed."

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Ways & Means to House Bill No. 2437.

The motion by Senator Fraser carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Fraser, the rules were suspended, House Bill No. 2437 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2437 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2437 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Shin, Spanel, Stevens, Tom, Weinstein and Zarelli - 46

Excused: Senators Fairley, Sheldon and Swecker - 3

THIRTY-EIGHTH DAY, FEBRUARY 20, 2008

2008 REGULAR SESSION

HOUSE BILL NO. 2437 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator McAuliffe: "Thank you Mr. President. This morning in Minnesota a school bus was in a very serious accident. Four children have died. There are some that are critically injured and I would like to have, do a moment of silence for these children and their families. I would like to recognize that we grieve for them and they are in our thoughts and prayers."

MOMENT OF SILENCE

The Senate observed a moment of silence in honor of the students that have lost their lives and those injured in a school bus accident in the Lakeview School District near Cottonwood, Minnesota.

MOTION

On motion of Senator Eide, the Senate advanced to the eighth order of business.

MOTION

Senator McAuliffe moved adoption of the following resolution:

SENATE RESOLUTION
8705

By Senators McAuliffe, Brandland, Oemig, Pridemore, Franklin, Prentice, Benton, Pflug, Weinstein, Zarelli, Eide, Keiser, Kohl-Welles, and Fraser

WHEREAS, Civic education is the foundation for an educated citizenry and a representative democracy; and

WHEREAS, In order to adequately prepare our state's youth for meaningful participation in our democratic institutions and processes, it is important to have strong educational resources aimed at teaching students and the public about the fragile nature of our Constitution; and

WHEREAS, Civic education is part of the fabric of our country and for all students in our public schools; and

WHEREAS, Civic education is a vital tool to promote greater understanding of the role of legislators in a representative democracy and the legislative process; and

WHEREAS, Civic Education Day recognizes the value of civic education in Washington state; and

WHEREAS, Civic Education Day establishes a forum for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington Media Association, Washington State Council of Social Studies, 4-H, YMCA Youth & Government, Washington State Bar Association, Office of the Secretary of State, Service Learning of Washington, Washington State Historical Society, Legislative Scholars Program, World Affairs Council, League of Women Voters, the UW Center for Communication and Civic Engagement, and Project Citizen state winners from Touchet School are dedicated to making civic education a priority for Washington state and its citizens; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers contribute to the goals of these laudable organizations to create an engaged citizenry; and

WHEREAS, Governor Gregoire is declaring February 20, 2008, as Washington State Civic Education Day;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the responsibility of civic educators across the state to serve and inform all Washingtonians; and

BE IT FURTHER RESOLVED, That the Senate of the State of Washington hereby honor, thank, and celebrate the civic educators of the state.

Senators McAuliffe and Rasmussen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8705.

The motion by Senator McAuliffe carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President recognized fifteen teachers from the Legislative Scholars Program representing seventeen various civic education organizations, and a number of state citizens who have been nominated by the Legislature for the 2008 Civic Educator of the Year Award who were all present in the gallery.

The President also recognized Miss Emma Northup from the seventeen Legislative District near Vancouver, the 2007 recipient of the Daniel J. Evans Award for civic education.

PERSONAL PRIVILEGE

Senator Franklin: "Well we certainly at this point in time have honored these great students and we are privileged to be in a place where we are able to debate the issues, to be able to work with each other but this morning in Kentucky a school is locked down because of potential gun violence, someone bringing a gun to school. We across this nation and with our kids in school are really in more or less a sort of troubling times. Our kids should be in a place where in an environment, where they are able to learn without having to be fearful. Mr. President, ladies and gentlemen of the Senate, so many times I think about Dr. Martin Luther King and his nonviolence and nonviolence was not just for the civil rights movement, its nonviolence today. As we debate issues and as we try to provide a place and safe place for our kids in order to learn so they may be able to learn the principles of government, to be able to be engaged in civic debate, that we work very, very hard that our kids will have a safe place in the school environment in which to learn. I think that should be also a top priority for us because a lot of these kids are fearful and any kid that is in an environment that they cannot learn, I think it has a negative impact and we have to think about the future. What is going to happen to our future generations and our kids today so to my colleagues lets continue to work very, very hard in order that our kids may have safe environment in which to learn. Thank you."

MOTION

At 10:48 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 21, 2008.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1115-S2		Introduction & 1st Reading	1	2651	Introduction & 1st Reading	3
1332-S2		Introduction & 1st Reading	1	2666-S	Messages	1
1741-S3		Introduction & 1st Reading	1	2690-S	Introduction & 1st Reading	3
2110		Introduction & 1st Reading	2	2693-S	Introduction & 1st Reading	3
2143-S		Introduction & 1st Reading	2	2699	Introduction & 1st Reading	3
2263		Messages	1	2703-S2	Messages	1
2437		Messages	1	2709-S2	Introduction & 1st Reading	3
		Other Action	7	2712-S2	Messages	1
		Second Reading	7	2713-S2	Introduction & 1st Reading	3
		Third Reading Final Passage	7	2734	Introduction & 1st Reading	4
2438-S				2746-S	Messages	1
2453-S		Messages	1	2767-S	Introduction & 1st Reading	4
2455-S		Introduction & 1st Reading	2	2779-S	Introduction & 1st Reading	4
2468-S		Introduction & 1st Reading	2	2792	Messages	1
2470		Introduction & 1st Reading	2	2807-S2	Introduction & 1st Reading	4
2476		Introduction & 1st Reading	2	2809-S2	Messages	1
2525-S		Messages	1	2813	Messages	1
2530-S2		Introduction & 1st Reading	2	2815-S2	Messages	1
2533-S2		Introduction & 1st Reading	2	2817-S2	Introduction & 1st Reading	4
2542		Introduction & 1st Reading	2	2818-S	Messages	1
2554-S		Messages	1	2822-S2	Messages	1
2564		Messages	1	2844-S2	Introduction & 1st Reading	4
2575-S		Introduction & 1st Reading	2	2847-S	Messages	1
2579-S2		Messages	1	2864-S	Introduction & 1st Reading	4
2585-S		Introduction & 1st Reading	2	2879-S	Messages	1
2592-S		Introduction & 1st Reading	2	2882-S2	Messages	1
2602-S		Introduction & 1st Reading	2	2887	Introduction & 1st Reading	4
2609-S		Introduction & 1st Reading	3	2901	Introduction & 1st Reading	4
2611-S		Messages	1	2903-S2	Messages	1
2621-S		Introduction & 1st Reading	3	2904-S		
2626-S		Introduction & 1st Reading	3			
2635-S2		Introduction & 1st Reading	3			
2647-S2		Introduction & 1st Reading	3			

Introduction & 1st Reading	4	3317	
2917-S		Messages	1
Introduction & 1st Reading	4	3360	
2938-S		Introduction & 1st Reading	6
Messages	1	8705	
3012-S		Adopted	8
Introduction & 1st Reading	5	Introduced	8
3019		9261 Myra Johnson	
Messages	1	Confirmed	7
3025		9334 Donald Meyer	
Introduction & 1st Reading	5	Confirmed	6
3027		PRESIDENT OF THE SENATE	
Messages	1	Intro. Special Guest	6
3059-S		Intro. Special Guest, Civic Educators	8
Introduction & 1st Reading	5	Reply by the President	7
3069-S		WASHINGTON STATE SENATE	
Introduction & 1st Reading	5	Moment of Silence, School bus accident	8
3071-S		Personal Privilege, Senator Franklin	8
Introduction & 1st Reading	5	Personal Privilege, Senator Haugen	6
3117		Personal Privilege, Senator McAuliffe	8
Messages	1	Point of Inquiry, Senator Honeyford	7
3131-S		Point of Order, Senator McCaslin	7
Messages	1		
3133-S			
Messages	1		
3137			
Messages	1		
3139-S2			
Introduction & 1st Reading	5		
3142			
Introduction & 1st Reading	5		
3148-S			
Messages	1		
3149-S			
Introduction & 1st Reading	5		
3151			
Introduction & 1st Reading	5		
3160-S			
Messages	1		
3177			
Introduction & 1st Reading	5		
3181			
Messages	1		
3186-S2			
Introduction & 1st Reading	5		
3188			
Introduction & 1st Reading	5		
3206-S			
Introduction & 1st Reading	5		
3224-S			
Messages	1		
3230			
Introduction & 1st Reading	6		
3249			
Messages	1		
3254-S2			
Introduction & 1st Reading	6		
3261			
Messages	1		
3269-S2			
Introduction & 1st Reading	6		
3289-S			
Messages	1		
3303-S			
Introduction & 1st Reading	6		